



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

PM52/0515

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|  |                 |              |           |                                       |                   |                  |
|--|-----------------|--------------|-----------|---------------------------------------|-------------------|------------------|
| APPLICATION NO. 310515   | FILING DATE 9-7 | TOTAL CLAIMS | 1         | ISSUE FEE EXAMINER AND GROUP ART UNIT | 3643              | DATE MAILED 9-11 |
| RONNING.   |                 | JOEL A.      |           |                                       |                   |                  |
| First Named<br>Applicant TRY BEFORE YOU BUY SOFTWARE DISTRIBUTION AND MARKETING SYSTEM |                 |              |           |                                       |                   |                  |
| TITLE OF<br>INVENTION  |                 |              |           |                                       |                   |                  |
| ATTY'S DOCKET NO. 1115   | CLASS-SUBCLASS  | 14           | BATCH NO. | H 15                                  | APPLN. TYPE T T Y | SMALL ENTITY     |
|  |                 |              |           | * FEE DUE 00                          |                   | DATE DUE 9-11    |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.**  
**PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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|                               |  |  |
|-------------------------------|--|--|
| <b>Notice of Allowability</b> | Application No.<br><b>08/892,306</b>     | Applicant(s)<br><b>Joel A. Ronning</b> |
|                               | Examiner 7033064/60<br>Pinchus M. Laufer | Group Art Unit<br><b>3642</b>          |

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to amendment filed 3-25-98

The allowed claim(s) is/are 1-26 and 28

The drawings filed on \_\_\_\_\_ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_.

including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 27 and 28

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

Interview Summary, PTO-413

Examiner's Amendment/Comment

Examiner's Comment Regarding Requirement for Deposit of Biological Material

Examiner's Statement of Reasons for Allowance

### **PART III DETAILED ACTION**

#### *Acknowledgment of Communication*

1. The examiner acknowledges receipt of a communication with a certificate of mailing of 14 July 1997, received into Group 2200 on 3 December 1997. The communication is a single page and appears to be a portion of a cover letter accompanying a request for the establishing of a file wrapper continuation of the parent case Serial No. 08/488,195.

#### *Allowable Subject Matter*

2. Claims 1-26 and 28 are allowed.

#### *Double Patenting*

3. The provisional double patenting rejection over application Serial No. 08/485,637 is withdrawn at the applicant's request, since the instant application is in condition for allowance while application Serial No. 08/485,637 currently stands rejected.

*Applicant should take note that if Serial No. 08/485,637 should pass to issue prior to the instant application, then the double patenting rejection would be reinstated.*

#### *Information Regarding Communication with the PTO*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pinchus M. Laufer whose telephone number is (703) 306-4160. The examiner can normally be reached on weekdays from 7:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. T. Tarcza, can be reached on (703) 306-4171. The fax phone number for this Group is (703) 306-4195.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-4177.

Pinchus M. Laufer

May 11, 1998

*PML*



THOMAS H. TARCZA  
SUPERVISORY PATENT EXAMINER  
GROUP 2200-3640